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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

LUTHER GRAHAM	:	CIVIL ACTION
	:	
Plaintiff,	:	No.: 16-1578 PGS-LHG
	:	
v.	:	
	:	
MONMOUTH COUNTY	:	
BUILDINGS AND GROUNDS	:	
and	:	
DAVID KRZYANOWSKI	:	
and	:	
ROBERT W. COMPTON	:	
	:	
Defendants.	:	
	:	

DEFENDANTS' REQUEST FOR JURY SELECTION VOIR DIRE

Defendants, respectfully request voir dire consistent with Fed. R. Civ. P. 47(a) and Standard voir dire questions—civil, § 6.05 BENCHBOOK FOR U.S. DISTRICT COURT JUDGES (March 2013) (“BENCHBOOK”). Further, Defendants respectfully request an opportunity for their counsel to be able to individually question prospective jurors after the Court has concluded its inquiries.

Fed. R. Civ. P. 47(a) permits counsel to conduct juror questioning at the discretion of the court. If appropriate, the court should determine whether and to what extent the attorneys may participate in the questioning of the prospective jurors, “subject to subject matter limitations as the court deems proper.” BENCHBOOK at J. 1.

Defendants request as follows:

STANDARD JURY VOIR DIRE

Defendants request all questions in 6.05 subsection G., except question no. 6, which is inapplicable, and all questions in subsection I.

ADDITIONAL OPEN ENDED QUESTIONS

1. Do you agree or disagree that juries can be trusted to make fair evaluations of fault and damages in employment law cases?
 - a. Please explain.
2. Do you believe that, by and large, minorities are treated differently in the workplace than their non-minority counterparts?
 - a. Please explain.
3. Do you have any close friends or family members who are government employees?
 - a. If yes, how does that circumstance impact on your ability to be a fair and impartial juror?

4. Have you ever managed or supervised others as part of your job?
 - a. Have you ever had to discipline someone? If so explain.
5. Have you, a family member or close friend ever brought a complaint to management alleging unfair treatment in the workplace? If so, how was the complaint handled and was the person bringing the complaint satisfied with the manner in which it was handled?
6. Have you, a family member or close friend ever experienced retaliation and/or negative treatment in the workplace as a result of making a complaint to management?
 - a. Have you or someone close to you:
 - i. Felt discriminated against?
 - ii. Been accused of retaliation or hostile work environment?
 - iii. Filed a grievance with your employer?
 - iv. Filed a charge with the EEOC or Division on Civil Rights?

If yes, explain.
7. Do you have strong feelings either for or against a party who is being sued?
 - a. Please explain.
8. Do you believe that entities, such as corporations or cities, are entitled to either greater or lesser deference in a lawsuit than individuals?
 - a. Please explain.
9. Have you or anyone close to you ever had a positive or negative experience with Monmouth County? Explain.
10. Has your employer ever been sued for retaliation or hostile work environment?

ADDITIONAL INFORMATION TO BE ELICITED

11. Length of time at current residence.
12. Education after high school, if any. State your major.
13. Marital status.
14. Number of children. Ages of children if under 18.

15. Employment

a. The juror. Current job and types of jobs throughout lifetime.

b. Spouse. Current job and types of jobs throughout lifetime.

16. Civil, social, fraternal, union or professional organization. Offices held.

17. Hobbies or recreational activities.

18. Prior jury service, civil or criminal.

19. Do you know any of the lawyers on this case?

20. Do you know any of the potential witnesses on this case [read names]?

21. Do you know anything about this case from any source other than what has been explained in court here today?

22. Is there anything not covered in the previous questions which would affect your ability to be a fair and impartial juror or in any way be a problem for you in serving on this jury?

23. Is there anything else you feel is important for us to know about you?

Defendants reserve the right to amend and supplement the foregoing following the Court's rulings on the parties' motions in limine.

Respectfully submitted,

Kenney, Gross, Kovats & Parton

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Dated: June 17, 2019